

Minutes of November 25, 2024

KERR COUNTY EMERGENCY SERVICES DISTRICT No. 3

Kerr Country Emergency Services District 3 gave notice on November 21, 2024 that it would meet on Monday, November 25, 2024, at 6:00 P.M. at the Center Point VFD Station, 548 Kelly St., Center Point, TX to consider the following agenda:

1. Call to Order: The Commissioners of the Kerr Country Emergency Services District 3 met on Monday, November 25, at 6:00 P.M. at the Center Point VFD Station, 548 Kelly St., Center Point, TX. President Danny Langbein called the meeting to order at 6:00 P.M. Present were Commissioners Danny Langbein, Jeff Mitchell, Amy Palmer, Kari Potter and Kathleen Vincent; a quorum was present. Also attending the meeting were CPVFD President Shawn Bayliss and Pct. 2 Commissioner Rich Paces.
2. Citizen Comment:
There were no public comments.
3. Review and approve Meeting Minutes from October 28, 2024:
Kari Potter moved that the minutes of the October 28, 2024 meeting be approved as presented. Jeff Mitchell seconded. The motion carried unanimously.
4. Fire Chief's Report:
Sean Bayliss reported that there had been 6 calls in November — 1 motor vehicle accident, 1 burn ban violation, 1 possible structure fire, 1 burn pile violation, 1 fallen tree, 1 gas leak. CPVFD has made 103 responses year-to-date. CPVFD participated in Trunk-or-Treat as a part of community support.
5. Treasurer's Report:
Amy Palmer reported that all bills have been paid and that the second payment to Max Air had cleared. She reviewed that balances in the bank accounts and verified that all were correct. The full treasurer's report is on file.
6. Consider, discuss and take appropriate action on Treasurer's Report:
Jeff Mitchell moved that the treasurer's report be approved as presented. Kari Potter seconded. The motion carried unanimously.
7. Consider, discuss and take appropriate action on issues raised during the October 18, 2024 ESD3 Workshop regarding the impact of lithium battery storage facilities with respect to public welfare and safety:
Amy Palmer talked with John Peeler about the concerns raised in the workshop and Kathleen Vincent emailed him a copy of the notes from the workshop. Mr. Peeler will review the information and draft a letter stating the ESD3 position on the issues for the Board to review. It was generally agreed that ESD3 would determine who to send that letter to so that the ESD3 concerns would be on the record with the developers of the battery storage facility as well with appropriate local and state agencies.
8. Consider, discuss and take appropriate action on information provided by Kerr Country Pct. 2 Commissioner Rich Paces regarding his resolution for Kerr County Commissioners' Court to approve the formation of a 391 SRPC with Kendall County focused on BESS:
Commissioner Paces reported that the resolution to form a 391 SRPC was approved unanimously by the Kerr County Commissioner's Court. However, the bylaws were not approved and they will hold a special meeting December 16, 2024 to consider the bylaws. Gillespie County is interested in joining the commission. State Senator Pete Flores and State Representative Elect Wes Virdell are drafting a bill to address the lithium battery storage issues. The Texas State Fire Marshal will meet with the Kerr County

Commissioners' Court in December. Commissioner Paces said that ESD3 could certainly adopt a fire code for their jurisdiction if they chose to.

9. Reports:

Kari Potter will email information to ESD3 Commissioners to review regarding Texas Legislature HB1343 related to facilities for energy storage that she learned about.

10. Agenda Items for Next Meeting:

Follow up with attorney John Peeler regarding lithium battery issues
Replacement for retiring Commissioner Kathleen Vincent and transfer of secretary duties

11. Adjourn:

Amy Palmer moved to adjourn at 6:40 with the next scheduled meeting being moved to December 16, 2024 to avoid Christmas week conflicts. Jeff Mitchell seconded. The motion carried unanimously.

NOTE: Commissioners, if necessary, may go into closed executive session under Section 2 Article 6256-17 to meet with its attorney or to discuss matters related to real property or contracts. No session is currently planned.

Minutes approved by ESD 3 Commissioners.

President